



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/935,213	08/22/2001	Uzi Lev-Ami	EQPN 1001-1	9729
22470	7590	04/05/2006	EXAMINER	
HAYNES BEFFEL & WOLFELD LLP			AVELLINO, JOSEPH E	
P O BOX 366			ART UNIT	
HALF MOON BAY, CA 94019			PAPER NUMBER	

2143

DATE MAILED: 04/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/935,213

Applicant(s)

LEV-AMI ET AL.

Examiner

Joseph E. Avellino

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) 29-53 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28, 54 and 55 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims **1-55** are pending. Claims 29-53 are withdrawn from consideration as being drawn to a non-elected invention. Therefore claims 1-28, 54, and 55 are presented for examination.

Claim Rejections - 35 USC § 103

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-28, 54, and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coss, Jr. et al. (USPN 6,871,112) (hereinafter Coss) in view of George (USPN 5,657,252) in view of Walker et al. (USPN 6,233,613) (hereinafter Walker).

2. Referring to claim 1, Coss discloses a method of making accessible context-sensitive data (i.e. trace data reports) reported by a tool to a tool host, the method including:

providing a listening device (i.e. report generator 260) to monitor a wired communications channel between one or more tool hosts (i.e. controller 130) and one or more tools (i.e. fabrication tool 110) (Figure 2, col. 3, lines 40-55; col. 4, lines 6-28);

recording report and report trigger definitions sent by the tool hosts to the tools (i.e. specifying data for a trace data report including at least one a parameter, a trigger, and a frequency for the trace data report) (col. 4, lines 55-65);

matching a first triggered report from the tools with the report and report trigger definitions to generate a report before processing a second triggered report (i.e. the report generator will only generate one report at a time) (i.e. formulate the trace data report in accordance with the request) (col. 5, lines 10-40); and

outputting the report (i.e. returning the report typically to the operator at the operator interface) (col. 5, lines 30-40).

Coss does not explicitly state the details regarding the report, and that the listening device is removable. In analogous art, George discloses another method of making accessible context-sensitive data reported by a tool to a tool host, which discloses generating a context-insensitive report from the context-sensitive data in a field tagged format (the Office takes the term "context-insensitive" to be broadly construed as "not pertaining to the entity from which it was sent", as such the report generator of George does not care what type of machine or tool sent the data, rather what the format codes are and what the values are, these codes are then outputted to the server generated script 46 and the output file, Attachments 8-11, which is generated from the Event report SECS message, Attachments 6-7). Further note that the files examples presented by George in the attachments are considered by in a field tagged format since the fields inside the files are identifiable as being separated by special characters such as spaces, #, {, } / and ". It would have been obvious to one of ordinary

Art Unit: 2143

skill in the art to combine the teaching of George with Coss since Coss discloses the trace data report is generated and outputted to the operator, however does not go into detail as to how this report is generated (col. 5, lines 28-35). This would lead one of ordinary skill in the art to search the art for methodologies as to how to generate reports from fabrication tools, eventually finding George and its novel method of utilizing server scripts and output files which are then often stored on secondary storage for archiving (col. 7, lines 38-55).

Coss in view of George does not specifically state that the listening device is removable. In analogous art, Walker discloses another listening device (i.e. monitoring probe) which is able to tap into an Ethernet communication link which does not introduce latency into the communication link nor interrupts the communication link for any reason (e.g. abstract). It would have been obvious to one of ordinary skill in the art to combine the teaching of Walker with Coss in view of George since Coss discloses that the report generator does not need to reside on the controller, rather that it resides somewhere in the manufacturing framework of which the controller and fabrication tool are a part (col. 4, lines 23-28). This would provide motivation to one of ordinary skill in the art to modify the system of Coss to put the report generator in other places, eventually finding the system of Walker which allows a monitoring probe wherein "any of a number of well known physical layer receiver circuits can be used as a circuit within the present invention" (col. 6, lines 30-35), indicating to one of ordinary skill in the art that the system of Walker could handle the incorporation of the report generator circuit of Coss.

Referring to claims 2-5 Coss-George-Walker, taught the use of messages compliant with SECS protocol (**George: fig. 3 and column 5 line 65 to column 6 line 6**). Coss-George-Walker does not specifically state using HL-7, DIACOM or CANS compliant protocols, however these are well known protocols in the field of manufacturing and communications. By this rationale, "Official Notice" is taken that both the concept and advantages of providing for using HL-7, DIACOM or CANS compliant protocols is well known and expected in the art. It would have been obvious to one of ordinary skill in the art to modify the teaching of Coss-George-Walker to utilize the above mentioned protocols in order to allow the report generator the ability to interpret communications from other tools which use these protocols, resulting in improved compatibility of the invention with proprietary equipment.

Referring to claim 6, since Coss-George-Walker taught embodiments in compliance with SECS protocol (**George: fig. 3 and from column 5 line 65 to column 6 line 6**), the combination inherently disclosed the reports triggered by periods of time (see SEMI document ID # E4-0699 R1-7.2).

3. Referring to claims 7-12, Coss-George-Walker discloses the invention substantively as described in claims 1 and 2. Coss-George-Walker do not specifically state the field tagged format is XML, HTML, CSV, however these are well known formats for displaying and storing data (i.e. HTML pages, XML configuration files,

Art Unit: 2143

standard database entries, etc.). By this rationale, "Official Notice" is taken that both the concept and advantages of providing for the output file in HTML, XML, or CSV formats is well known and expected in the art. It would have been obvious to one of ordinary skill in the art to modify the teaching of Coss-George-Walker to include formatting the output file into HTML, XML or CSV formats in order to allow interpretation of the file by various display apparatuses such as web browsers, SQL servers, application programs, etc., resulting in increased usability of the data, thereby creating a more effective result of the data.

4. Referring to claim 13, Walker discloses the removable listening device is coupled to the channel by a connector inserted in the wired communications channel (Figure 2, ref. 140).

5. Referring to claim 14, Walker discloses the listening device is physically coupled to the wired communications channel (Figure 2, ref. 140).

6. Referring to claim 15, Walker discloses the device is magnetically coupled to the channel (col. 3, lines 55-60).

7. Claims 16-28, 54, and 55 are rejected for similar reasons as stated above.

Response to Arguments

8. Applicant's arguments with respect to claims 1-55 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See attached PTO-892 for details.

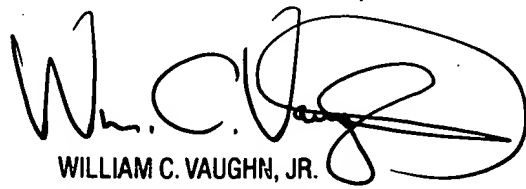
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph E. Avellino whose telephone number is (571) 272-3905. The examiner can normally be reached on Monday-Friday 7:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


JEA

March 30, 2006


WILLIAM C. VAUGHN, JR.
PRIMARY EXAMINER